

Palmer, Ashley

From: Brian Spears <bspears@civil-rights.law>
Sent: Wednesday, March 24, 2021 2:32 PM
To: Lynn Beck; Miller, Staci J; Palmer, Ashley
Cc: Jeff Filipovits; Foster, Joshua; Chris Stewart; Dianna Lee
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

3/24/2021

Ms. Beck:

Following our recent telephone conference with the Court and pursuant to the Court's instructions, counsel for the Fulton County District Attorney and counsel for Plaintiff met via Zoom conference on Wednesday, March 24, 2021. The parties agreed to the following schedule:

By April 9, 2021, the Fulton County District Attorney will communicate to Plaintiff's counsel a detailed response to each of the three subpoenas;

By April 16, 2021, Plaintiff's counsel will communicate to the Fulton County District Attorney the extent to which they accept or contest the detailed response; and,

In the event that the discovery disputes arising from the issuance of the three subpoenas are not resolved by the parties, the Fulton County District Attorney shall file a Motion to Quash by April 23, 2021 and the timing of Plaintiff's response to said Motion shall be governed by the Local Rules of the Northern District of Georgia.

Please contact me in the event that the Court has any additional questions.

Brian Spears

Brian Spears
Spears & Filipovits, LLC
1126 Ponce de Leon Ave., N.E.
Atlanta, Georgia 30306
404-872-7086, ext. 271

From: Brian Spears
Sent: Wednesday, March 17, 2021 12:15 PM
To: 'Lynn Beck' <Lynn_Beck@gand.uscourts.gov>; Miller, Staci J <SJMiller@AtlantaGa.Gov>; Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Foster, Joshua <josfoster@AtlantaGa.Gov>; 'Chris Stewart' <cstewart@smtrial.com>; Dianna Lee <dlee@smtrial.com>
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

March 17, 2021

Ms. Beck:

This is written to clarify that the discovery dispute between Plaintiff and the Fulton County Attorney's Office arises from three separate subpoenas.

The first subpoena, found at Doc. Entry 64, seeks production of the contents of cell phones seized from Defendant Abdulahad and his partner, Officer Roberson-El, pursuant to search warrants executed by the Fulton County District Attorney's Office in September of 2019. Copies of the subpoena, D.E. 64 and 64-1, are attached, along with a copy of the search warrant executed served upon Officer Roberson-El in September of 2019.

The second and third subpoenas issued to the Office of the District Attorney consist of a subpoena for the production of documents, see Doc. 65-1, and a subpoena seeking inspection and testing of the motor vehicle in which Mr. Phillips was riding when shot by Defendant Abdulahad, see Doc. 65-2.

Thank you in advance,

Brian Spears

Brian Spears
Spears & Filipovits, LLC
1126 Ponce de Leon Ave., N.E.
Atlanta, Georgia 30306
404-872-7086, ext. 271

From: Lynn Beck <Lynn_Beck@gand.uscourts.gov>
Sent: Monday, March 15, 2021 1:47 PM
To: Miller, Staci J <SJMiller@AtlantaGa.Gov>; Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>; Brian Spears

<bspears@civil-rights.law>

Cc: Jeff Filipovits <jeff@civil-rights.law>; Foster, Joshua <josfoster@AtlantaGa.Gov>

Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

Please plan to participate in the discovery dispute telephone conference call scheduled for Wednesday, March 17, 2021 at 3:30 pm.

Call in instructions are as follows: Dial 1-888-684-8852, then the access code: 1480011#, as participant, dial: #, then the security code of 0317#.

Please acknowledge receipt of these instructions and if you haven't already notified me who will be participating, please do so. Thank you.

Lynn Wood Beck
Courtroom Deputy to Judge Mark H. Cohen
United States District Court
Suite 1921
75 Ted Turner Drive SW, Atlanta, GA 30303
404-215-1315

From: Miller, Staci J <SJMiller@AtlantaGa.Gov>
Sent: Monday, March 15, 2021 1:19 PM
To: Lynn Beck <Lynn_Beck@gand.uscourts.gov>; Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>; Brian Spears <bspears@civil-rights.law>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Foster, Joshua <josfoster@AtlantaGa.Gov>
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

CAUTION - EXTERNAL:

Ms. Beck –

The City is available and Mr. Joshua Foster (cc'd above) will be attending on the City's behalf. Thank you!

Best Regards,
Staci J. Miller



Staci J. Miller, Attorney
City of Atlanta Department of Law – Litigation Division
55 Trinity Avenue, Suite 5000, Atlanta, GA 30303
Office: 404-546-4083
Fax: 404-225-5756
Email:SJMiller@AtlantaGa.Gov

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Sent: Monday, March 15, 2021 1:17 PM
To: Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>; Brian Spears <bspears@civil-rights.law>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMILLER@AtlantaGa.Gov>
Subject: [EXTERNAL] RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

Are the parties available for a telephone conference call on Wednesday, March 17 at 3:30 pm? Thank you.

Lynn Wood Beck
Courtroom Deputy to Judge Mark H. Cohen
United States District Court
Suite 1921
75 Ted Turner Drive SW, Atlanta, GA 30303
404-215-1315

From: Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>
Sent: Monday, March 15, 2021 1:01 PM
To: Lynn Beck <Lynn_Beck@gand.uscourts.gov>; Brian Spears <bspears@civil-rights.law>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMILLER@AtlantaGa.Gov>
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

CAUTION - EXTERNAL:

Ms. Beck,

Please find the District Attorney's response attached.

Best regards,

Ashley Palmer
Senior Assistant County Attorney
Office of the Fulton County Attorney
 141 Pryor Street, SW
Suite 4038
Atlanta, Georgia 30303
404-612-0244 (Direct)
404-612-0246 (Main)
404-730-6324 (Fax)

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From: Lynn Beck [mailto:Lynn_Beck@gand.uscourts.gov]
Sent: Friday, March 12, 2021 11:38 AM
To: Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>; Brian Spears <bspears@civil-rights.law>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMILLER@AtlantaGa.Gov>
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

Thank you!

Lynn Wood Beck
Courtroom Deputy to Judge Mark H. Cohen
United States District Court
Suite 1921
75 Ted Turner Drive SW, Atlanta, GA 30303
404-215-1315

From: Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>
Sent: Friday, March 12, 2021 11:28 AM
To: Lynn Beck <Lynn_Beck@gand.uscourts.gov>; Brian Spears <bspears@civil-rights.law>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMILLER@AtlantaGa.Gov>
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

CAUTION - EXTERNAL:

I will aim for 12 noon, Ms. Beck, by definitely 3 pm at the latest.

Thanks!

Ashley Palmer
Senior Assistant County Attorney
Office of the Fulton County Attorney
141 Pryor Street, SW
Suite 4038
Atlanta, Georgia 30303
404-612-0244 (Direct)
404-612-0246 (Main)
404-730-6324 (Fax)



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From: Lynn Beck [mailto:Lynn_Beck@gand.uscourts.gov]

Sent: Friday, March 12, 2021 11:17 AM

To: Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>; Brian Spears <bspears@civil-rights.law>

Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <JMILLER@AtlantaGa.Gov>

Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

Thank you. It would be great to have your statement to me by 3:00 pm on Monday. Judge Cohen likes to have plenty of time to review the issues before the conference call. Please do your best. Thanks!

Lynn Wood Beck

Courtroom Deputy to Judge Mark H. Cohen

United States District Court

Suite 1921

75 Ted Turner Drive SW, Atlanta, GA 30303

404-215-1315

From: Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>

Sent: Friday, March 12, 2021 11:15 AM

To: Lynn Beck <Lynn_Beck@gand.uscourts.gov>; Brian Spears <bspears@civil-rights.law>

Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <JMILLER@AtlantaGa.Gov>

Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

CAUTION - EXTERNAL:

Certainly, Ms. Beck.

I will ensure that you have the District Attorney's response by no later than close of business on Monday.

Best regards,

Ashley Palmer
Senior Assistant County Attorney
Office of the Fulton County Attorney
141 Pryor Street, SW
Suite 4038
Atlanta, Georgia 30303
404-612-0244 (Direct)
404-612-0246 (Main)
404-730-6324 (Fax)



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From: Lynn Beck [mailto:Lynn_Beck@gand.uscourts.gov]
Sent: Friday, March 12, 2021 10:56 AM
To: Brian Spears <bspears@civil-rights.law>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMILLER@AtlantaGa.Gov>; Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

Thank you. If the opposing side could submit their response on Monday, March 15, then we'll try to schedule the teleconference for March 17 at 3:30 pm, if that works for the parties.

Lynn Wood Beck
Courtroom Deputy to Judge Mark H. Cohen
United States District Court
Suite 1921
75 Ted Turner Drive SW, Atlanta, GA 30303
404-215-1315

From: Brian Spears <bspears@civil-rights.law>
Sent: Friday, March 12, 2021 10:51 AM
To: Lynn Beck <Lynn_Beck@gand.uscourts.gov>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMILLER@AtlantaGa.Gov>; Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

CAUTION - EXTERNAL:

3/12/2021

Ms. Beck:

Attached please find a summary of the discovery matter pending between Plaintiff and [non-party] Fulton County District Attorney.

I can be available at any time on Wednesday, March 17th, in the event that the Court is able to confer with all counsel at that time.

Thank you for your attention to this matter.

Brian Spears

Brian Spears
Spears & Filipovits, LLC

1126 Ponce de Leon Ave., N.E.
Atlanta, Georgia 30306
404-872-7086, ext. 271

From: Lynn Beck <Lynn_Beck@gand.uscourts.gov>
Sent: Wednesday, March 10, 2021 9:50 AM
To: Brian Spears <bspears@civil-rights.law>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMiller@AtlantaGa.Gov>; Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

Just email to me and copy opposing counsel so they will have notice of the issues and can prepare a response. If all can get their summaries in by tomorrow, I can look at scheduling a telephone conference call with the Court on Monday afternoon.

Lynn Wood Beck
Courtroom Deputy to Judge Mark H. Cohen
United States District Court
Suite 1921
75 Ted Turner Drive SW, Atlanta, GA 30303
404-215-1315

From: Brian Spears <bspears@civil-rights.law>
Sent: Wednesday, March 10, 2021 9:48 AM
To: Lynn Beck <Lynn_Beck@gand.uscourts.gov>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMiller@AtlantaGa.Gov>; Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>
Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

CAUTION - EXTERNAL:

3/10/2021

Thank you for your prompt response. We will compose a summary of the legal issues. Should that summary be submitted to your office via email or should the summary be filed with the Clerk of Court?

Brian Spears

From: Lynn Beck <Lynn_Beck@gand.uscourts.gov>
Sent: Wednesday, March 10, 2021 9:44 AM
To: Brian Spears <bspears@civil-rights.law>

Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMiller@AtlantaGa.Gov>; Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>

Subject: RE: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

Can you send a brief, one page summary of the legal issues of the discovery dispute? Be sure to serve on opposing counsel. Once you do that, opposing counsel can respond via email to all parties (including me).

Lynn Wood Beck
Courtroom Deputy to Judge Mark H. Cohen
United States District Court
Suite 1921
75 Ted Turner Drive SW, Atlanta, GA 30303
404-215-1315

From: Brian Spears <bspears@civil-rights.law>
Sent: Wednesday, March 10, 2021 9:36 AM
To: Lynn Beck <Lynn_Beck@gand.uscourts.gov>
Cc: Jeff Filipovits <jeff@civil-rights.law>; Miller, Staci J <SJMiller@AtlantaGa.Gov>; Palmer, Ashley <Ashley.Palmer@fultoncountyga.gov>
Subject: Stidwell v. Abdulahad; Civil Action No. 1:19-cv-00401-MHC; Discovery Dispute

CAUTION - EXTERNAL:

3/10/21

Ms. Beck:

This email is sent to you pursuant to the Court's Standing Order in this case, Doc. 2, which, at page 12, Paragraph G.3. provides in pertinent part that discovery disputes which cannot be resolved through the good faith efforts of counsel are - prior to the filing of any motion to compel - to be the subject of a conference call with the Court.

This discovery dispute involves a non-party, the Fulton County District Attorney. Two subpoenas were served upon the District Attorney on January 7, 2021 – one calling for the production of documents and the other calling for the inspection of physical evidence. Although I have been in communication with the attorney representing the District Attorney in this matter, no production or inspection has occurred.

The Office of The District Attorney and its attorney, Ashley Palmer, have been notified of this Court's instructions with respect to the handling of discovery disputes.

This is written to request that this discovery dispute be the subject of a conference with the Court in accordance with this Court's Standing Order.

Thank you in advance for your assistance in this matter.

Brian Spears

Brian Spears
Spears & Filipovits, LLC
1126 Ponce de Leon Ave., N.E.
Atlanta, Georgia 30306
404-872-7086, ext. 271

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